

FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE (REV. 7-2005)		ATTORNEY'S DOCKET NUMBER RLL-268.1US	
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/525,438	
INTERNATIONAL APPLICATION NO. PCT/IB2002/003740	INTERNATIONAL FILING DATE 09/12/2002	PRIORITY DATE CLAIMED 08/26/2002	
TITLE OF INVENTION AZOLE DERIVATIVES AS ANTIFUNGAL AGENTS			
APPLICANT(S) FOR DO/EO/US SALMAN et al.			
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:			
<ol style="list-style-type: none"> 1. <input type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. 2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below. 4. <input type="checkbox"/> The US has been elected (Article 31). 5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2)) <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)). 11. <input type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409). 12. <input type="checkbox"/> A copy of the International Search Report (PCT/ISA/210). <p>Items 13 to 23 below concern document(s) or information included:</p> <ol style="list-style-type: none"> 13. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 14. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 15. <input type="checkbox"/> A FIRST preliminary amendment. 16. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 17. <input type="checkbox"/> A substitute specification. 18. <input type="checkbox"/> A power of attorney and/or change of address letter. 19. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825. 20. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 21. <input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4). 22. <input checked="" type="checkbox"/> Express Mail Label No. EV 483376138US 			

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO (if known, see 37 CFR 1.5)	INTERNATIONAL APPLICATION NO.	ATTORNEY'S DOCKET NUMBER
10/525,438	PCT/IB2002/003740	RLL-268.1US

23. Other items or information:

Certificate of Express Mailing
Information Disclosure Citation w/refs.
Return Postcard

The following fees have been submitted:				CALCULATIONS	PTO USE
24. <input type="checkbox"/> Basic national fee	\$300	\$	\$0.00		
25. <input type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article	\$0	\$	\$0.00		
All other situations.....	\$200				
26. <input type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International preliminary examination report by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4). . .	\$0	\$			
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the as an International Searching Authority.	\$100	\$	\$0.00		
International Search Report prepared by an ISA other than the US and provided to the previously communicated to the US by the IB.	\$400				
All other situations.....	\$500				
TOTAL OF 24, 25 and 26 =		\$	\$0.00		
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(l)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole)	RATE		
- 100 =	0 /50 =	0	x \$250.00	\$	\$0.00
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	- 20 =	0	x \$50.00	\$	\$0.00
Independent claims	- 3 =	0	x \$200.00	\$	\$0.00
MULTIPLE DEPENDENT CLAIMS (if applicable)	<input type="checkbox"/>	+ \$360.00		\$	\$0.00
TOTAL OF ABOVE CALCULATIONS =				\$	\$0.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.				\$	\$0.00
			SUBTOTAL =	\$	\$0.00
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$	\$0.00
			TOTAL NATIONAL FEE =	\$	\$0.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property	+ \$			\$	\$0.00
			TOTAL FEES ENCLOSED =	\$	\$0.00
				Amount to be	\$
				Amount to be	\$

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a. A check in the amount of \$ _____ to cover the above fees is enclosed.

b. Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.

c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-0912. A duplicate copy of this sheet is enclosed.

d. Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Jayadeep R. Deshmukh
Reg. No. 34,507
Customer No. 026815



SIGNATURE

William D. Hare

NAME

44,739

REGISTRATION NUMBER

7 March 2006

DATE

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))**

Docket No.
RLL-268.1US

In Re Application Of: **SALMAN et al.**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/525,438	9/12/2002	TBA	026815	TBA	

Title:

AZOLE DERIVATIVES AS ANTIFUNGAL AGENTS

Address to:
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

37 CFR 1.97(b)

1. The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

37 CFR 1.97(c)

2. The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

the statement specified in 37 CFR 1.97(e);

OR

the fee set forth in 37 CFR 1.17(p).

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.
RLL-268.1US

In Re Application of: SALMAN et al.

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/525,438	9/12/2002	TBA	026815	TBA	

Title:
AZOLE DERIVATIVES AS ANTIFUNGAL AGENTS

Payment of Fee

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- A check in the amount of _____ is attached.
- The Director is hereby authorized to charge and credit Deposit Account No. 50-0912 as described below.
 - Charge the amount of _____
 - Credit any overpayment.
 - Charge any additional fee required.
- Payment by credit card. Form PTO-2038 is attached.

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Certificate of Transmission by Facsimile*

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fa)

(Date)

Signature

Typed or Printed Name of Person Signing Certificate

Certificate of Mailing by First Class Mail

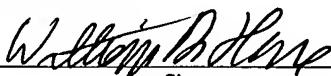
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

(Date)

Signature of Person Mailing Correspondence

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*This certificate may only be used if paying by deposit account.



Signature

Dated: March 7, 2006

William D. Hare, Esq.

Reg. No. 44,739

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Princeton, New Jersey 08540

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CC:

INFORMATION DISCLOSURE CITATION			Docket No.: RLL-268.1US	Serial No.: 10/525,438
			Applicants: SALMAN et al.	
			Filed: 2/23/2005	Group:

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	A1	6,133,485	10/17/2000	Singh et al.	568	700	

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	B1	EP 0 097 469	1/4/1984	EPO	C07D	249/08	
	B2	EP 0 567 982	11/3/1993	EPO	C07D	249/12	
	B3	EP 0 967 210	12/29/1999	EPO	C07D	249/08	
	B4	WO 96/39394	12/12/1996	PCT	C07D	249/12	Abstract
	B5	WO 01/66551	9/13/2001	PCT	C07D	521/00	
	B6	WO 02/51408	7/4/2002	PCT	A61K	31/41	

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	C1	Fromtling, "Overview of Medically Important Antifungal Azole Derivatives", <i>Clinical Microbiology Reviews</i> , 1(2):187-217 (1988)
	C2	Greenspan, "Treatment of oropharyngeal candidiasis in HIV-positive patients", <i>The Journal of the American Academy of Dermatology</i> , 31:S51-S55 (1994)
	C3	Georgopapadakou and Walsh, "Antifungal Agents: Chemotherapeutic Targets and Immunologic Strategies", <i>Antimicrobial Agents and Chemotherapy</i> , 40(2):279-291 (1996)
	C4	Fung-Tomc et al, "Recent developments in pradimicin-benanomicin and triazole antibiotics", <i>Expert Opinion on Investigational Drugs</i> , 6(2):129-145 (1997)
	C5	Kauffman and Carver, "Antifungal Agents in the 1990s", <i>Drugs</i> , 53(4):539-549 (1997)
	C6	Koltin and Hitchcock, "The search for new triazole antifungal agents", <i>Current Opinion in Chemical Biology</i> , 1:176-182 (1997)
DOCUMENT TO FOLLOW	C7	<u>Antifungal Agents</u> , "Principles and practice of infectious diseases", 4 th ed. pgs 401-410, G.L. Mandel, J.E. Bennett and R.Dolin (ed.), Churchill Livingstone, Inc. New York, N.Y

EXAMINER	DATE CONSIDERED
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

INFORMATION DISCLOSURE CITATION	Docket No.: RLL-268.1US	Serial No.: 10/525,438
	Applicants: SALMAN <i>et al.</i>	
	Filed: 2/23/2005	Group:

C8	Nguyen et al., "The Changing Face of Candidemia: Emergence of Non-Candida albicans Species and Antifungal Resistance", <i>The American Journal of Medicine</i> , <u>100</u> (6):617-623 (1996)
C9	Sheehan et al., "Current and Emerging Azole Antifungal Agents", <i>Clinical Microbiology Reviews</i> , <u>12</u> (1):40-79 (1999)
C10	Perfect et al., "In Vitro and In Vivo Efficacies of the Azole SCH56592 against <i>Cryptococcus neoformans</i> ", <i>Antimicrobial Agents and Chemotherapy</i> , <u>40</u> (8):1910-1913 (1996)
C11	36th Interscience Conference on Antimicrobial Agents and Chemotherapy, September 1996, New Orleans. Abst. F74, F87-102
C12	Naito et al., "ER-34346 Triazole Antifungal", <i>Drugs of the Future</i> , <u>21</u> (1):20-24 (1996)
C13	Kitazaki et al., "Optically Active Antifungal Azoles. VI.1)Synthesis and Antifungal Activity of N-[(1R,2R)-2-(2,4-Difluorophenyl)-2-hydroxy-1-methyl-3-(1H-1,2,4-triazol-1-yl)propyl]-N'-(4-substituted phenyl)-3(2H,4H-1,2,4-triazolones and 5(1H,4H)-tetrazolones", <i>Chemical and Pharmaceutical Bulletin</i> , <u>44</u> (2):314-327 (1996)

EXAMINER	DATE CONSIDERED
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: SALMAN *et al.*

U.S. Application No.: 10/525,438
International Application No.: PCT/IB2002/003740

International Filing Date: 09/12/2002

Title: AZOLE DERIVATIVES AS ANTIFUNGAL AGENTS

CERTIFICATE OF EXPRESS MAILING

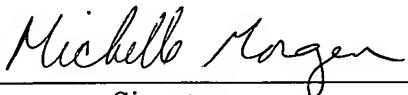
I hereby certify that the following correspondence:

- Transmittal Letter to the US/DO/EO Concerning a Filing Under 35 USC 371
- Information Disclosure Citation w/references
- Transmittal of Information Disclosure Statement
- Postcard

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Mail Stop PCT, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on 7 March 2006.

Michelle Morgan

Name of Person Mailing Correspondence



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